

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

DANNY LEE SMITH, #111 978,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 2:09cv6-TMH
	)	
WILLIAM WYNN, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**OPINION AND ORDER**

The Magistrate Judge filed a Recommendation (Doc. #18) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court believes that the Recommendation should be adopted. Accordingly, it is

ORDERED that the RECOMMENDATION (Doc. #18) of the Magistrate Judge is ADOPTED. Plaintiff's voluntary Motion to Dismiss (Doc. #15) is GRANTED. Plaintiff's complaint pursuant to 42 U.S.C. § 1983 is DISMISSED without prejudice. An appropriate judgment will be entered.

Done this 8th day of April, 2009.

/s/ Truman M. Hobbs

UNITED STATES DISTRICT JUDGE